UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

IN RE SCHERING-PLOUGH CORP./ ENHANCE SECURITIES LITIGATION; Civil Action No. 08-397 (DMC) (JAD)

and

IN RE MERCK & CO., INC. VYTORIN/ZETIA SECURITIES LITIGATION.

Civil Action No. 08-2177 (DMC) (JAD)

STIPULATED AMENDMENT TO PRETRIAL SCHEDULING ORDER

WHEREAS, on August 6, 2012, the Court entered an Order setting trial for November 13, 2012 (Doc. No.244);

WHEREAS, on September 10, 2012, the Court advised the parties that the corrected date of the Final PreTrial Conference before Magistrate Judge Dickson is October 22, 2012, at 2 p.m.; and

WHEREAS, the parties have met and conferred and agreed to the following additional pretrial dates;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among counsel for the undersigned parties, that:

- 1. The parties shall file any *Daubert* motions on or before October 3, 2012, with any opposing briefs to be filed on or before October 24, 2012, and any reply briefs to be filed on or before November 6, 2012;
- 2. The parties shall file any motions in limine on or before October 16, 2012, with any opposing briefs to be filed on or before October 24, 2012, and any reply briefs to be filed on or before November 6, 2012; and

3. The parties shall submit the Proposed Final PreTrial Order and other required submissions to the Court on or before October 18, 2012.

All other dates and provisions of the PreTrial Scheduling Order shall remain in effect.

Liaison Counsel for All Plaintiffs

CARELLA, BYRNE, CECCHÍ, OLSTEIN, BRODY & AGNELLO

James E. Cecchi 5 Becker Farm Road Roseland, New Jersey 07068 973-994-1700 jcecchi@carellabyrne.com (08-2177, 08-387) Attorneys for Defendants Merck & Schering-Plough and All Individual Defendants

TOMPKINS MCGUIRE, WACHENFELD & BARRY, LLP

William B. McGuire
Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07102
973-622-3300
wmcguire@tompkinsmcguire.com

Counsel for Underwriter Defendants

SILLS CUMMIS & GROSS P.C.

Jeffrey J. Greenbaum
One Riverfront Plaza
Newark, New Jersey 07102
973-643-7000
jgreenbaum@sillscummis.com

SHEARMAN & STERLING LLP

Daniel H.R. Laguardia
599 Lexington Avenue
New York, New York 10022
daniel.laguardia@shearman.com

Case 2:08-cv-02177-DMC-JAD Document 246 Filed 09/18/12 Page 3 of 3 PageID: 13349

Case 2:08-cv-00397-DMC-JAD Document 309-1 Filed 09/17/12 Page 3 of 3 PageID: 15480

SO ORDERED

This _____day of September 2012

Joseph A. Dickson

United States Magistrate Judge